Gibb, PLLC at (703) 761-4100.

## **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

|   |  | y one name is listed below) or an ori  |                                |                |
|---|--|--|--------------------------------|----------------|
| the specification of which: (check one)   | ,  | - 12-1   |                                |                |
| X (is attached hereto) was filed on as Application S and was amende                                       | erial No   | . (if applicable)  |                                |                |
|   | reviewed and understand the c  | ontents of the above identified specifi  | cation, includ                 | ing            |
| I acknowledge the duty to accordance with Title 37, Code of I   |  | material to the examination of this ap   | oplication in                  |                |
|   | isted below and have also iden   | United States Code, § 119 of any fore iffied below any foreign application fution on which priority is claimed:  |                                | n(s)           |
| Prior Foreign Application(s)  |  |  | priority<br>claimed            |                |
| 88408/2001  | Japan  | 26/3/2001  | <u>X</u>                       |                |
| (Number)  | (Country)  | (Day/Month/Year Filed)   | yes                            | no             |
| (Number)  | (Country)  | (Day/Month/Year Filed)   | yes                            | no             |
| (Number)  | (Country)  | (Day/Month/Year Filed)   | yes                            | no             |
| below and, insofar as the subject mapplication in the manner provided to disclose material information as | atter of each of the claims of t<br>by the first paragraph of Title<br>defined in Title 37, Code of Fe | Code, § 120 of any United States appnis application is not disclosed in the 35, United States Code, § 112, I ackederal Regulations, § 1.56 which occitional filing date of this application: | prior United S<br>nowledge the | States<br>duty |
| (Application Serial No.)  | (Filing Date)  | (Status: patented, pendi   | ng, abandone                   | d)             |
|   |  | oint Sean M. McGinn, Reg. No. 34, secute this application and transact all   |                                |                |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn &

| Full Name of Sole                          | TOUT HAMADAT  |                          |                |                                       |
|--|---------------|--------------------------|----------------|---------------------------------------|
| Joint Inventor, If Any <u>SEI</u>          | ICHI WATARAI  | - A                      |                |                                       |
| Inventor's Signature                       |               |                          |                | 3/19/2002                             |
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| Citizenship Japanese                       |               |                          |                | <del> </del>                          |
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| Post Office Address                        |               |                          |                | ·                                     |
| (An additional sheet(s) is/are a           | •             | present invention includ |                | ventors.)                             |

\*Title 37, Code of Federal Regulations, § 1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.